



Docket No.: M4065.0210/P210-A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sam Yang, et al.

Examiner: Hoa B. Trinh

Application No.: 10/002,176

Art Unit: 2814

Filed: December 5, 2001

For: METHOD OF FORMING A CAPACITOR
FOR A SEMICONDUCTOR DEVICE

CONFIRMATION OF TELEPHONIC CONFERENCE WITH PRIMARY EXAMINER
HOWARD WEISS ON JUNE 29, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants' undersigned representative acknowledges with appreciation the telephonic conference conducted with the primary examiner on June 29, 2005. In the June 29, 2005 telephonic conference, the primary examiner indicated that the Advisory Action dated June 24, 2005, incorrectly indicated that claim 1 raised a "new matter" issue.

First, the primary examiner acknowledged that claims 32-55, 57-68, and 97 were pending and not claim 1. Second, the primary examiner acknowledged that *none* of the claims recited that the "top electrode consists of a single electrode," as the Advisory Action indicated. Finally, the primary examiner acknowledged, that claim 32 was amended to recite, *inter alia*, "forming a top electrode that consists of a single top

conducting layer,” and that claim 97 was amended to recite, *inter alia*, “[a] top electrode comprising a bottom and a top conducting layer; and annealing said top conducting layer of said top electrode with an oxidizing gas anneal.” As a result, the primary examiner stated that the after-final amendment, filed on June 13, 2005, raised new issues that would require further search and consideration. The after-final amendment, however, did not raise any “new matter” issues.

Consequently, Applicants are concurrently submitting an RCE and Petition for Extension of Time (one-month) to have the after-final amendment, filed on June 13, 2005, considered and entered. The Examiner is respectfully asked to review and pass this application to issue.

Dated: June 30, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicants